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THE LIFE AND ACTIVITIES OF  
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JAMES HARPER STARR,

1809-1890

THESIS

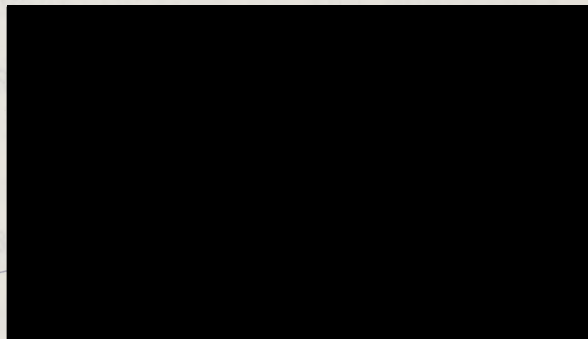
Presented to the Faculty of the Graduate School of

The University of Texas in Partial Fulfill-

ment of the Requirements

For the Degree of

Approved:



Approved:

John Nathan Crevens, B. S.

Dean of the Graduate School

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PREFACE

THE LIFE AND ACTIVITIES OF

JAMES HARPER STARR,

1809-1890

THESIS

Presented to the Faculty of the Graduate School of

The University of Texas in Partial Fulfill-

ment of the Requirements

For the Degree of

MASTER OF ARTS

By

John Nathan Cravens, B. S.

Austin, Texas

August, 1940

480327



PREFACE

Although the outstanding characters in the development of Texas have been given considerable attention by historians, there are many other individuals who have made their contributions in somewhat less spectacular ways and whose

work has not received the recognition which it deserves. In

many cases, of course, the material necessary for a study of their activities is not available. The acquisition of the

personal papers of James Harper Starr of Nacogdoches by the University of Texas Library some time ago has removed that

handicap, however, for one such individual, and has made

possible this study of his life and activities. The evi-

dence shows that as a participant in some of the emergency

military activities and as a county land commissioner he

made his semi-official contribution in a local and personal

way during the period of the Republic, and that as secretary

of the treasury under President Lamar he had an opportunity

to help in trying to solve national problems at an extremely

critical period of the Republic's history. As a physician,

a business man, and a promoter of educational activities, he

helped in stabilizing society in his home community both be-

fore and after the annexation of Texas to the United States;

and as an agent of the Confederate Government for the handling

*Gift of the Author*

FEB 3 1941

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of various aspects of its civil affairs in Texas during the Civil War he contributed toward the maintaining of order behind the lines in that conflict. Thus his career may perhaps be considered as a representative case for the part played by those men whose contributions fall somewhere between those of the average citizen and those of the acknowledged leaders.

I wish to express my sincere appreciation to Dr. William C. Binkley for the valuable help that he has given me in making this study. I wish, also, to express my appreciation to the librarians of the Texas Collection, the University Archives, and the Texas State Library for their willingness to supply necessary reference materials.

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Bibliography Harper Starr was one of the numerous descendants of Comfort Starr, who emigrated from Ashford, England, in 1835, to Massachusetts Colony and settled in the vicinity of Boston.<sup>1</sup> His grandfather, Nicholas Starr, fell in the defense

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<sup>1</sup> James Harper Starr, Some Biographical Notes, James H. Starr Papers, Archives of the University of Texas, Austin.

of Fort Griswold on September 6, 1781, when the fort was stormed and many of its defenders massacred and the towns of Groton and New London burned by a British expedition under Benedict Arnold.<sup>2</sup> The name of Nicholas Starr is inscribed

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<sup>2</sup> John Henry Brown, The Encyclopaedia of the New West (Marshall, 1881), I, 502.

on the monument which has been erected on Groton Heights.<sup>3</sup>

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<sup>3</sup> Z. T. Fulmore, The History and Geography of Texas as Told in County Names (Austin, 1915), 93.



James Harper Starr was born at New Hartford, Connecticut, on December 18, 1809. His father was James Starr and

## CHAPTER I

### EARLY LIFE AND EDUCATION

<sup>4</sup> Starr, Some Biographical Notes, Starr Papers.

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James Harper Starr was born at New Hartford, Connecticut, on December 18, 1809.<sup>4</sup> His father was James Starr and training his mind.

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<sup>4</sup> Starr, Some Biographical Notes, Starr Papers. he often read by a fluttering pine torch, and once fell asleep to awaken some time later to find his bed on fire."<sup>8</sup> his mother was Persia Shaw Starr, the daughter of David Shaw of East Windsor, Connecticut.<sup>5</sup> The family remained in New Mrs. J. F. Lentz, "Lecture on James Harper Starr," in Marshall News Messenger (Marshall, Texas), March, 1936.

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<sup>5</sup> Fannie Ratchford, "About Your Ancestors," in The Dallas Morning News, November 13, 1932.

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When James was fifteen years old, his father died, leaving him the chief reliance of his mother in managing and Hartford until the boy was five years old, at which time they cultivating the farm. His elder brothers had already left moved to the state of Ohio.<sup>6</sup> This removal deprived young home and were engaged in other pursuits. While working on

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<sup>6</sup> Brown, The Encyclopedia of the New West, I, 602. Starr, Some Biographical Notes, Starr Papers.

---

Starr of good educational advantages as the early settlers at his new home were able only to supply primary education limited to winter terms. When he became old enough to appreciate the importance of learning, he began to read books upon a wide range of subjects.<sup>7</sup> By pursuit of this method

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<sup>7</sup> Starr, Some Biographical Notes, Starr Papers. ment and suffering, he resumed his studies at an academy in Worthington, Ohio, and subsequently taught school at

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of securing an education, whether at school or engaged in other activities, he increased his limited opportunities for training his mind.

It is said "that he liked to study so well that, he often read by a fluttering pine torch, and once fell asleep to awaken some time later to find his bed on fire."<sup>8</sup>

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<sup>8</sup> Mrs. J. F. Lentz, "Lecture on James Harper Starr," in Marshall News Messenger (Marshall, Texas), March, 1936.

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When James was fifteen years old, his father died, leaving him the chief reliance of his mother in managing and cultivating the farm. His elder brothers had already left home and were engaged in other pursuits.<sup>9</sup> While working on

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<sup>9</sup> Starr, Some Biographical Notes, Starr Papers.

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the farm, he received an injury to his knee which resulted in the loss of the use of this joint and disabled him from the duties on the farm.<sup>10</sup> After a long period of confine-

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<sup>10</sup> Fulmore, The History and Geography of Texas, 93.

---

ment and suffering, he resumed his studies at an academy in Worthington, Ohio, and subsequently taught school at



intervals to earn expenses.<sup>11</sup> While teaching near Columbus,

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<sup>11</sup> Brown, The Encyclopedia of the New West, I, 602.

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<sup>13</sup> The Reformed Medical Society Medical Diploma  
Ohio, he became interested in mathematics and he visited the city on Saturdays in order to obtain instruction from his brother, Franklin J. Starr, the principal of an academy there.

After graduation, in 1832, the young doctor decided to go to Georgia with some friends who were returning to their homes. It was at McDonough, Henry County, where he met Starr. Starr, Some Biographical Notes, Starr Papers.  
In the meantime, he began to read some medical books in anticipation of the possibility that he might practice medicine at some time in the future. In the fall of 1830 he discontinued teaching on account of sickness and returned home. There he received encouragement from R. W. Cowles, a successful Worthington merchant. Cowles asked him if he would like to enroll in a recently chartered medical college that was about to begin its first term.<sup>12</sup> Starr was very

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<sup>12</sup> Starr, Some Biographical Notes, Starr Papers.

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<sup>15</sup> James H. Starr to Franklin J. Starr, Starr Papers.  
anxious to receive this additional training but his finances would not permit it. After some effort Cowles persuaded him to enroll and accept money enough from him to cover his expenses. As a result of the kindness of this friend, he became a member of the first class of the Reformed Medical Society of the United States of America in 1830. It was and again resumed his practice of medicine. It was here on



here at this college in Worthington that James Harper Starr received his diploma, May 8, 1832, which qualified him to practice the various branches of medicine.<sup>13</sup>

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<sup>13</sup> The Reformed Medical Society, Medical Diploma, May 8, 1832, Starr Papers.

---

After graduation, in 1832, the young doctor decided to go to Georgia with some friends who were returning to their homes.<sup>14</sup> It was at McDonough, Henry County, that he began

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<sup>14</sup> Starr, Some Biographical Notes, Starr Papers.

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<sup>17</sup> James H. Starr to Franklin J. Starr, June 17, his practice with a doctor named Bond. Starr was a welcomed guest among the other doctors of the village until it was made known that he also had begun the practice of his profession there.<sup>15</sup> Because of this unpleasant situation

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<sup>15</sup> James H. Starr to Franklin J. Starr, July 11, 1832, Starr Papers.

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<sup>18</sup> James H. Starr to Franklin J. Starr, August 5, 1832, Starr Papers.

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and the high cost of living in McDonough he decided to go elsewhere.

He settled next at Pleasant Grove, in the same county, and again resumed his practice of medicine. It was here on



February 1, 1833, that he married Miss Harriet J. Johnson, whose father was a successful farmer and merchant.<sup>16</sup>

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<sup>16</sup> Starr, Some Biographical Notes, Starr Papers.

<sup>19</sup> Brown, *The Encyclopedia of the New West*, I, 602.

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Later, he opened a land agency in partnership with a man named Johnson. Before long, however, he discovered that Johnson was giving notes on the concern for his own individual use. This caused Starr much worry over the possibility of being financially ruined by his partner, so he began seriously to consider moving to Texas.<sup>17</sup> Meanwhile,

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<sup>17</sup> James H. Starr to Franklin J. Starr, June 17, 1835, Starr Papers.

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he evidently was very successful in his practice of medicine there, for on one occasion he was so busy attending the sick that he spent five days and nights without rest.<sup>18</sup>

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<sup>18</sup> James H. Starr to Franklin J. Starr, August 5, 1835, Starr Papers.

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Many flattering reports in favor of immigration were received from former citizens of Georgia already settled in

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<sup>21</sup> Brown, *The Encyclopedia of the New West*, I, 602.

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various parts of Texas. Starr and many other citizens of Georgia wanted to emigrate to Texas in sufficient numbers to establish a colony there.<sup>19</sup> Those who were interested in the James Harper Starr and his brother, Franklin, could not give

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<sup>19</sup> Brown, The Encyclopedia of the New West, I, 602.

Texas movement selected Captain Franklin J. Starr and Colonel Amasa Spencer, both of McDonough, to explore the region and determine a suitable place for settlement. Captain Starr had just moved from Ohio to Georgia so that he might be nearer his brother, James.<sup>20</sup> The explorers left Georgia

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<sup>20</sup> Starr, Some Biographical Notes, Starr Papers.

<sup>22</sup> James H. Starr to Franklin J. Starr, July 21, in the fall of 1834 and spent the winter in Texas, visiting the most desirable locations among Austin's colonies. They were cordially received by the authorities and other leading citizens in the Mexican province of Texas. Upon their return in the spring of 1835 to Georgia, they made their report, which explained the natural possibilities of the country for high agricultural development. The only objection in the report was the existing character of government, as Texas was a province of Mexico.<sup>21</sup> With this type of report,

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<sup>21</sup> Brown, The Encyclopedia of the New West, I, 602.



accounts of the disturbed and destitute condition of the country that the Starrs decided to wait until more favorable reports should arrive. But James Harper Starr and his brother, Franklin, could not give up the idea of moving to Texas.

Franklin and his wife decided to start to Texas and James and his wife were to follow just as soon as a desirable home could be located. Franklin Starr arrived on the Brazos in 1836 just at the time that Santa Anna's army began its invasion of Texas.

James Harper Starr, his wife, and his servant, Tempie, started to Texas in March, 1836, after they had received a letter from Franklin who stated that he had joined the Texas army.<sup>22</sup> The news of the invasion by the Mexican army and

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<sup>22</sup> James H. Starr to Franklin J. Starr, July 21, 1834, Starr Papers.

---

the fall of the Alamo had just reached Georgia. This did not delay their departure from Pleasant Grove, but when they heard of the surrender of Fannin and his men they began to wonder about continuing their journey. Upon reaching central Alabama, they met large groups of refugees from Texas. These individuals of the "Runaway Scrape" gave such terrible for supplies, which were much higher than they would have



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 been otherwise.  
 accounts of the disturbed and destitute condition of the  
 country that the Starrs decided to wait until more favorable  
 reports should arrive.<sup>23</sup>

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<sup>23</sup> Starr, Some Biographical Notes, Starr Papers.

On the first day of January, 1837, Starr and his wife  
 resumed their journey to Texas. They went from Selma,  
 While they remained in Perry County, James began to  
 practice medicine with a Dr. Skinner. In the meantime he  
 continued to write letters to his brother in Texas, address-  
 ing them to "Coles Settlement," San Felipe, New Orleans,  
 Alabama, to Mobile, then by way of the Gulf of Mexico to  
 and Alexandria, but no answer was received.<sup>24</sup> Communication  
 New Orleans, and continued by boat up the Mississippi and  
 Red rivers to Natchitoches, Louisiana. Here Starr purchased  
 covered "carry-all," and left the chief part  
 of his baggage behind.

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<sup>24</sup> James H. Starr to Franklin J. Starr, July 21, 1836, Starr Papers.

The journey was then resumed across the country  
 between Texas and the United States was almost stopped  
 temporarily during the Texas Revolution, but after the news  
 of the victory of the Texas army at San Jacinto, a letter  
 was received which stated that Franklin and his wife were  
 at Nacogdoches.

The young doctor found that Perry County, Alabama,  
 was an undesirable place to locate permanently because the  
 planters there grew only cotton and depended on New Orleans  
 for supplies, which were much higher than they would have  
 Ibid.

25

been otherwise.

It was the intention of the brothers to establish themselves in the Brazos country but they decided to re-  
James H. Starr to Franklin J. Starr, August 10, 1836, Starr Papers.

On the first day of January, 1837, Starr and his wife resumed their journey to Texas. They went from Selma,

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Fulmore, The History and Geography of Texas, 94.

Alabama, to Mobile, then by way of the Gulf of Mexico to New Orleans, and continued by boat up the Mississippi and Red rivers to Natchitoches, Louisiana. Here Starr purchased a horse and a covered "carry-all," and left the chief part of his baggage behind.

The journey was then resumed across the country by land, over the worst possible roads, and in the worst possible weather, made up of rain, sleet, snow, and ice.

27

Starr, Some Biographical Notes, Starr Papers.

Finally, they arrived at Nacogdoches on January 17, 1837, and found Franklin and his wife there.

28

Ibid.



It was the intention of the brothers to establish themselves in the Brazos country, but they decided to remain at Nacogdoches until various points could be visited and a judicious selection could be made. James resumed his

practice of medicine and his brother opened a law office in the eastern frontier of Texas between Nacogdoches and the Trinity River. These hostile actions of the

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<sup>29</sup> Brown, The Encyclopedia of the New West, I, 603.  
organize two companies of mounted volunteers in May, 1837.

---

brother were soon to be neglected, however, because of the need of their newly adopted country for the public service that each was capable of rendering. the group which was led by his brother, Captain Franklin J. Starr.<sup>2</sup> The troops pur-

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<sup>2</sup> Fulmore, The History and Geography of Texas, 94.

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sued the Indians beyond the Tehuacana Hills, where the tribes dispersed. During this campaign, the weather was extremely warm and the forced marches and exposure caused much sickness among the volunteers.<sup>3</sup> As a result of these conditions, Franklin

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<sup>3</sup> Starr, Some Biographical Notes, Starr Papers.

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contracted fever from which he died on July 7.<sup>4</sup> This de-

## CHAPTER II

### FIRST SERVICES TO THE REPUBLIC OF TEXAS

In the early part of 1837, the Indians began to attack the settlers on the eastern frontier of Texas between Nacogdoches and the Trinity River. These hostile actions of the savages led the citizens of the surrounding territory to organize two companies of mounted volunteers in May, 1837.<sup>1</sup>

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<sup>1</sup> Brown, The Encyclopedia of the New West, I, 603.

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James Harper Starr was a member of the group which was led by his brother, Captain Franklin J. Starr.<sup>2</sup> The troops pur-

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<sup>2</sup> Fulmore, The History and Geography of Texas, 94.

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sued the Indians beyond the Tehuacana Hills, where the tribes dispersed. December 14, 1837, the Texas Congress adopted a law

for the During this campaign, the weather was extremely warm and the forced marches and exposure caused much sickness among the volunteers.<sup>3</sup> As a result of these conditions, Franklin

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<sup>3</sup> Starr, Some Biographical Notes, Starr Papers.

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<sup>4</sup> Dudley G. Wooten (ed.), Comprehensive History of Texas (Dallas, 1898), I, 815.



contracted fever from which he died on July 7.<sup>4</sup> This de-

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land due<sup>4</sup> Brown, The Encyclopedia of the New West, I, 603.

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proved by the Congress on June 27.<sup>5</sup> The board had much re-  
 ranged the plans of Dr. Starr, for he now had to manage his  
 brother's affairs as well as his own.<sup>5</sup>

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<sup>5</sup> Fulmore, The History and Geography of Texas, 94.

---

The local Indians continued to be unfriendly and  
 since they perpetrated frequent massacres along the frontier,  
 it was necessary for every able-bodied man to respond prompt-  
 ly to service in case of alarm or attack. Starr was always  
 ready to participate in these movements against the hostile  
 Indians.<sup>6</sup>

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<sup>6</sup> Starr, Some Biographical Notes, Starr Papers.

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On December 14, 1837, the Texas Congress adopted a law  
 for the creation of a general land office. For each county,  
 there was selected a board of land commissioners whose duty  
 was to investigate all claims and to issue certificates on  
 those which proved to be "genuine and legal."<sup>7</sup> Early in the

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<sup>7</sup> Dudley G. Wooten (ed.), Comprehensive History of  
 Texas (Dallas, 1898), I, 815.



next year, President Sam Houston selected Starr as president of the board of land commissioners and receiver of the land dues for Nacogdoches County. The appointment was approved by the Congress on June 27.<sup>8</sup> The board had much re-

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<sup>8</sup> Republic of Texas, Appointment Citation, June 27, 1838, Starr Papers. *ber 13, 1932.*

---

sponsibility because Nacogdoches County was the most densely populated area in eastern Texas and had more native Mexicans than any other county in the region. *iciently. He made the follow* A large number of citizens had already received their headright grants from the former governments of Texas and Starr discovered that many persons of this class were fraudulently presenting their claims for certificates. Some of the "Americans" from the United States instigated these attempted frauds by paying the applicants to give false testimony and agreeing to purchase their certificates when issued. The land commissioners at Nacogdoches had to be careful in handling the blank forms as it was the practice of many people to fill them out and thereby acquire an illegal title to land. By close investigation, the board was successful in detecting and defeating such irregularities.<sup>9</sup>

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<sup>9</sup> Starr, Some Biographical Notes, Starr Papers. *The failure of Congress to enact the desired legisla-*

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So well did Starr and his assistants meet their obligations that on several occasions they were threatened with mob violence by dishonest speculators whose fraudulent applications had been rejected.<sup>10</sup>

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<sup>10</sup> Ratchford, "About Your Ancestors," in The Dallas Morning News, November 13, 1932.

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<sup>12</sup> James H. Starr to Pamela C. Starr, June 2, 1838, Starr Papers. Starr expected the Third Congress in 1838 to enact some amendments to the existing land laws which would enable him to carry out his duties more efficiently. He made the following recommendations concerning the amending of the existing land laws: to issue patents on all claims not appearing fraudulent and for which only one certificate had been given to the same individual; to grant such patents in the name of the person obtaining them, subject to investigation for a period of five years; to reward anyone who might render assistance in the detection of fraud; to enact additional legislation for the protection of investors; and to provide a definite procedure for the transfer of certificates.<sup>11</sup>

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<sup>11</sup> James H. Starr to Mirabeau B. Lamar, 1837 (?) in Charles A. Gulick (ed.), The Papers of Mirabeau Buonaparte Lamar (Austin, 1920-1927), II, 5-6.

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The failure of Congress to enact the desired legisla-



tion caused Starr to become dissatisfied with his position. He expressed his feelings in a letter to his sister-in-law:

. . . Members of Congress have returned you know. I expected some amendments to the land laws favorable to me as Receiver. None were enacted. I shall hold the office for a short time, and then resign as I am not quite patriotick enough to labor for the public or individuals for 25¢ a day. Which I think is about the compensation at present allowed me.<sup>12</sup>

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<sup>12</sup> James H. Starr to Pamela O. Starr, June 2, 1838, Starr Papers.

---

About this time the attention of Starr was turned from his duties on the land board to a rebellion which had been fomented by Vicente Cordova. Many Mexicans who had remained in Nacogdoches County after the battle of San Jacinto felt that they had not received fair and honorable treatment by the Texans and they were inspired to revolt under the leadership of Cordova.<sup>13</sup> The news of the rebellion spread fast

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<sup>13</sup> John Salmon Ford, *Memoirs of John Salmon Ford*, MS, II, 205, Archives of the Texas State Library, Austin.

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and in a few days companies of Texans were recruited in many counties of eastern Texas. Starr volunteered at the very beginning as a private in a cavalry unit under Captain James Reilly. Thomas J. Rusk was the commander of the entire Texas force, which finally numbered over six hundred men.



During the attacks on Cordova and his Indian allies, many of the Texans were injured and it became necessary for Dr. Starr to serve in the capacity of army surgeon. On the closing engagement, which was known as the "Kickapoo Battle," the Mexicans and their allies were routed with heavy losses. When Cordova found himself without the support he expected, he fled to Mexico.<sup>14</sup>

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<sup>14</sup> Starr, Some Biographical Notes, Starr Papers.

The services of Starr during the rebellion prompted Thomas J. Rusk, commanding general of the Texas army, to appoint him as acting surgeon general of the Texas army on November 1, 1838.<sup>15</sup> Starr served in this capacity for only

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<sup>15</sup> Thomas J. Rusk to James H. Starr, November 1, 1838, Starr Papers.

a short time.

In the early part of 1839, Dr. Starr was appointed by the Congress of the Republic of Texas to serve on a commission with Peter Tipps and B. C. Walters to take charge of the confiscated property of the Mexicans and Indians who participated in the Cordova insurrection.<sup>16</sup> These commissioners were

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<sup>16</sup> James H. Starr to Peter Tipps and B. C. Walters, March 22, 1839, Domestic Correspondence, Archives of the Texas State Library, Austin.



authorized to administer this property to the best of their judgment and then to publish an inventory of it in the San Augustine Redlander. General Thomas J. Rusk, Major Henry W. Augustine, Colonel Mabbett, and Colonel Landrum were also appointed to audit the claims of the campaign.<sup>17</sup> Starr,

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<sup>17</sup> George L. Crocket, Two Centuries in East Texas (Dallas, 1932), 190.

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feeling that he lacked ability to accomplish this great task bestowed upon him, offered his resignation with the request that Congress appoint a more capable commissioner.

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Starr had been interested in the affairs of the Republic of Texas even before he left the United States. The reports in local newspapers and the letters from friends in Texas kept him informed of the events taking place there. In August, 1836, he heard that David G. Burnet, the president of the ad interim government of Texas, was very unpopular, and that Branch T. Archer would be selected to succeed him in the September election. In a letter to his brother, Starr expressed his preference for Stephen F. Austin, although he wondered if Austin was as "unpopular as many other good men are."<sup>18</sup>

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<sup>18</sup> James H. Starr to Franklin J. Starr, July 21, 1836, Starr Papers.

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After Starr moved to Texas, he disapproved of Houston's pacific attitude toward the Indians because he felt that the chief executive could have prevented several murders in the vicinity of Nacogdoches if he had used force at the opportune time. He did admit that the efforts of Houston were useful in restraining Bowles and his warriors from open hostility, thus saving eastern Texas from more extended massacres of exposed families than were actually experienced.<sup>19</sup>

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<sup>19</sup> Starr, Some Biographical Notes, Starr Papers.

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Dr. Starr became so dissatisfied with the government of the Republic of Texas in the later part of 1837 that he considered seeking a home elsewhere.<sup>20</sup> In June of the fol-

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<sup>20</sup> Amasa Spenser to James H. Starr, January 12, 1838, Starr Papers.

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<sup>22</sup> James H. Starr to Pamela O. Starr, December 2, 1838, following year he wrote:

. . . I expect the country will be awfully represented in the next Congress -- with the things of the Houston Creation . . . If Texas is to be governed by such men as those now in power she will awaken from her dream of greatness ere long and find that she is not the greatest nation on earth or her government administered possession of some property. According to the evidence presented in this case, Starr had purchased the land from the



by the wisest and most virtuous men.<sup>21</sup>

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<sup>21</sup> James H. Starr to Pamela O. Starr, June 2, 1838, Starr Papers.

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which had been approved by Stephen F. Austin in January, 1833. In December, 1838, a lynching trial was held in Nacogdoches, and the accused person was condemned to die the next day. Starr hated lynching and although he could not say anything about this incident in public, he made the following comment:

. . .and such is the defective condition of our laws that something summary and efficient must be resorted to. . . . From the present Congress, we have little to expect.

General Felix Huston is endeavoring to ape Charles the Twelfth by getting up an army against Mexico.

Some of our more modest heroes recommended an appropriation to establish a line of military forts six hundred miles in length along our frontier and keep a military force larger than the United States. . . . Also asks for courts to be closed during War.

You know my feeling toward Sam Houston as a man yet I have some respect for his station.<sup>22</sup>

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<sup>22</sup> James H. Starr to Pamela O. Starr, December 2, 1838, Starr Papers.

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In the May term (1839) of the district court of Nacogdoches County, Sam Houston filed a suit against Starr for possession of some property. According to the evidence presented in this case, Starr had purchased the land from the



"Corporation of Nacogdoches" shortly after arriving in Texas in 1837 and had made valuable improvements on it. Houston exhibited in court a copy from the general land office of an original title to the property in dispute which had been approved by Stephen F. Austin in January, 1833.<sup>23</sup> The court decided in favor of Starr, but Houston

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<sup>23</sup> Sam Houston vs. James H. Starr, Suit in District Court, May Term, 1839, Record, Nacogdoches. opposed by Peter W. Grayson, who had served as attorney-general in the cabinet of President David G. Burnet and as continued to obtain new hearings for a number of years.<sup>24</sup>

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<sup>24</sup> District Court Citations of Nacogdoches County, October 2, 1843, Copies in the Houston-Starr Papers of the Crocket East Texas Collection, Stephen F. Austin State Teachers College, Nacogdoches.

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This trouble definitely placed Starr in the anti-Houston group so far as politics were concerned.

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<sup>26</sup> In the presidential campaign of 1838, Starr was an ardent supporter of Mirabeau Buonaparte Lamar. Before Lamar announced his candidacy for the presidency he conferred with Starr's intimate friend, Thomas J. Rusk, who was also being suggested for the nomination. Rusk, disclaiming any personal aspirations, gave the following endorsement:



. . . I shall be pleased, dear sir, to see your name before the people for this office of Chief Magistrate and shall be happy to sustain you in your labors for the welfare of the country to which we are both under many obligations for confidence reposed and honors conferred.<sup>25</sup>

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<sup>25</sup> Asa Kyrus Christian, Mirabeau Buonaparte Lamar (Austin, 1922), 16-17.

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The campaign was an interesting one. Lamar was opposed by Peter W. Grayson, who had served as attorney-general in the cabinet of President David G. Burnet and as commissioner to the United States, James Collinsworth, the first chief justice of the Texas Supreme Court, and Robert Wilson, member of the Texas Senate.

An effort was made to manage the election along sectional lines and Lamar, the candidate of western Texas, was constantly urged by his friends in the eastern counties to concentrate his campaign in their section.<sup>26</sup> By placing

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<sup>26</sup> Christian, Mirabeau Buonaparte Lamar, 18.

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emphasis on Lamar's proposal for the removal of the Indians, Starr was able to assist him in obtaining a vast majority of the votes in the area around Nacogdoches.

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<sup>27</sup> Starr, Some Biographical Notes, Starr Papers.

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## CHAPTER III

## SECRETARY OF THE TREASURY

In the spring of 1839, Richard G. Dunlap resigned as Secretary of the Treasury to become chargé d'affaires to the United States.<sup>1</sup> On May 25, President Lamar appointed James of his time in the first months of his administration.<sup>2</sup> By

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<sup>1</sup> Starr, Some Biographical Notes, Starr Papers.

Harper Starr to fill this vacancy.<sup>2</sup> A motion was made in a

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<sup>2</sup> Republic of Texas, Appointment Citation, May 25, 1839, Starr Papers.

in the celebrations. He soon found that it was difficult to regulate and systematize the business of the treasury department. A secret session of the Texas Senate to confirm the nomination and the appointment was unanimously confirmed on December 12.<sup>3</sup>

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<sup>3</sup> Ernest W. Winkler (ed.), Secret Journals of the Senate, Republic of Texas, 1836-1845 (Austin, 1911), 148.

When Starr accepted the position, he was fully aware of the uninviting condition of the treasury department and the prospects of the public finances.<sup>4</sup> Soon after he arrived

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<sup>4</sup> Starr, Some Biographical Notes, Starr Papers.



at the capital at Houston he began to examine the records of his predecessors and found many errors in the operation of the department.<sup>5</sup> The signing of promissory notes took much

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<sup>5</sup> James H. Starr, Private Memoranda, Starr Papers.

of his time in the first months of his administration.<sup>6</sup> By

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<sup>6</sup> James H. Starr to Pamela O. Starr, May 30, 1839, Starr Papers.

July 4, 1839, he was so busily engaged in furnishing instructions to the collectors of revenue that he failed to take part in the celebrations. He soon found that it was difficult to regulate and systematize the business of the treasury department because his clerks "were not fully competent or desirous to render the necessary aid."<sup>7</sup>

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<sup>7</sup> Starr, Private Memoranda, Starr Papers.

On July 27, important news was received from the Texas agent in Mexico concerning the recognition of the Republic, and a secret mission to that country was proposed by James



Treat. At that time, all the leading officials of the government were absent from the capital except Nathaniel Amory, acting secretary of state, and Starr. Lamar was absent much of the time because of illness and business obligations, and in many instances the Secretary of the Treasury had to represent the President.<sup>8</sup> The hard work of the treasury department

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<sup>8</sup> Starr, Private Memoranda, Starr Papers; James H. Starr to P. J. Hamilton, August 7, 1839, Letterbook, Treasury Department, November 14, 1836 to February 22, 1842, p. 93, in Archives of the Texas State Library, Austin.

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and the added duties of representing others in the government proved to be injurious to Starr's health.

On July 22, Starr decided to make an attempt to reduce the salaries of the collectors of the customs. He wrote a lengthy official letter to Willis Roberts, collector at Galveston, informing him that it was his opinion that the collector's salary should be reduced from eight thousand to about four thousand dollars a year. When Starr wrote this letter, he expected opposition because the collector was a "favorite of the President and considered himself a power behind the throne of no small importance."<sup>9</sup> The next day,

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<sup>9</sup> Starr, Private Memoranda, Starr Papers.

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Starr presented Lamar with the unauthorized communication and the President gave instructions to permit the collector's salary to continue until the convening of Congress. Starr forwarded the letter to Collector Roberts with the President's instructions attached. Several days later, the Secretary of the Treasury went to Galveston to investigate the customs house situation and to confer with President Lamar and other officials concerning certain important movements of diplomatic character that had occurred during their absence from the capital.

Starr was always interested in the welfare of others, and especially those who were connected with him in an official way. On August 19, William L. Rhoton, an eighteen year old assistant clerk in the treasury department, died. Since the young man left no money, Starr contributed fifty dollars toward his funeral expenses in addition to twenty-nine dollars on a debt which had been incurred during his illness.

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<sup>10</sup> Starr, Private Memoranda, Starr Papers.

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In the fall of 1839, Starr began to make arrangements to move the archives and furniture of the government offices from Houston to Austin, the new capital selected by the preceding Congress. He was anxious to leave Houston even though



he knew that the convenience of living would not be better at Austin.<sup>11</sup> President Lamar instructed him to inform all

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<sup>11</sup> Starr, Private Memoranda, Starr Papers; Austin City Gazette (Austin), November 6, 1839.

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<sup>12</sup> Starr, Private Memoranda, Starr Papers.

the heads of the departments and bureaus to accompany the archives to Austin in order to supervise the establishment of their offices at that place.<sup>12</sup>

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<sup>12</sup> James H. Starr to James W. Simmons, Letterbook, Treasury Department, November 14, 1836 to February 22, 1842, pp. 102-103.

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Colonel Jacob Snively and Starr packed their goods and furniture and put them in wagon number thirty-three, which was owned by Thomas Cochran. They left for Austin about sunset on September 18, and forded the Brazos at San Felipe the next day. The pair arrived in Austin about dark on September 25. The public buildings were all unfinished but most of them were ready to be occupied. The Secretary of the Treasury found it very difficult to distribute the offices so as to please everyone. For example, Major Asa Brigham, the Treasurer, got highly offended because he could not occupy a room remote from the other offices of the



Treasury Department. On October 2, Starr and the other members of his department began arranging the office and unpacking the papers, and in a few days the treasury department resumed business.<sup>13</sup> On the seventeenth, President Lamar was es-

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<sup>13</sup> Starr, Private Memoranda, Starr Papers.

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corted to the capital by a procession led by the public officials and others. Later, he dined with Starr and the other principal leaders in the government.<sup>14</sup>

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<sup>14</sup> Frank Brown, Annals of Travis County and the City of Austin, Vol. II, p. 34, MS, Archives of the Texas State Library, Austin.

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About the time of the removal to Austin, the collector at Galveston made an illegal seizure of the "Buckeye," a schooner operated by C. T. Worcester. The vessel was detained at the port of Galveston for three weeks, and during this period it was damaged and pilfered. The collector admitted his mistake and returned the boat, agreeing to pay three hundred dollars for damages, but through neglect, he failed to make the agreed settlement. Worcester made an appeal to Starr because he knew the secretary's reputation for justice and liberality.<sup>15</sup>

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<sup>15</sup> C. T. Worcester to James H. Starr, December 15, 1839, Comptroller's Papers, Archives of the Texas State Library, Austin.

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Lamar heard that the business of the custom house was conducted in a loose and unsatisfactory manner and directed the Secretary of the Treasury to appoint Alden A. M. Jackson as a special agent of the Treasury Department to investigate the situation.<sup>16</sup> On November 23, Lamar notified

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<sup>16</sup> James H. Starr to Mirabeau B. Lamar, November 23, 1839, Letterbook, Treasury Department, November 14, 1836 to February 22, 1842, pp. 124-125.

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the Senate of the removal of Roberts as collector of customs for the port and district of Galveston and ordered the Secretary of the Treasury to make a full settlement with him. In pursuance of this order, Starr ended the matter in a satisfactory way.<sup>17</sup>

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<sup>17</sup> Mirabeau B. Lamar to James H. Starr, November 23, 1839, Comptroller's Papers, Archives of the Texas State Library, Austin.

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The lots owned by the Republic of Texas at Galveston were sold at public auction in 1837. Starr heard that the auctioneer, Mr. Doswell, was expected to conduct a similar sale of Austin lots in the fall of 1839.<sup>18</sup> After checking

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<sup>18</sup> James H. Starr to Mirabeau B. Lamar, October 30, 1839, Lamar Papers, III, 153.

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over the proceeds of the Galveston sale, Starr found that the expense of the auction, including the delivery of the cash and bonds, amounted to \$5,210.87. He informed the President of the excessive rates and suggested that he make a specific contract with the auctioneer limiting his compensation.<sup>19</sup> Starr cooperated in the sale of the lots by placing

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<sup>19</sup> Starr to Lamar, Lamar Papers, III, 154.

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a weekly advertisement in the several newspapers of Texas and also in the Weekly Bulletin and the Picayune in New Orleans.<sup>20</sup>

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<sup>20</sup> Austin City Gazette (Austin), May 27, 1840.

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This sale was so slow that about one-third of the lots remained unsold in August, 1840.<sup>21</sup>

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<sup>21</sup> Austin City Gazette, August 12, 1840.

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After the removal to Austin, the Secretary of the Treasury examined the reports of the various heads of the departments in order to make his general report to Congress. On completing his annual report concerning the financial condition of the Republic and suggestions to relieve the



deplorable situation, Starr remarked: follows:

My report . . . which is a weak production but contains facts, what no other report from the Treasury Department ever contained before . . . I will doubtless be rudely noticed in Congress particularly by the arch fiend Sam Houston.<sup>22</sup>

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<sup>22</sup> Harriet Smither (ed.), Journals of the Fourth Congress of the Republic of Texas, 1839-1840 (Austin, 1930-1932), III, 37-72; Starr, Memoranda, Starr Papers.

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The report, which was submitted on November 3, showed that the debt of the Republic was rapidly increasing and that the revenue for that year did not amount to \$188,000.00, while the current expenses for the same period were over nine hundred thousand dollars. At the same time, the promissory notes of the government had increased to the enormous sum of more than \$1,800,000.00.<sup>23</sup> Starr estimated the expenses

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<sup>23</sup> Wooten, A Comprehensive History of Texas, I, 352-353.

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for the next year at \$1,947,657.00.<sup>24</sup> He also estimated that

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<sup>24</sup> Smither, Journals of the Fourth Congress, I, 102.

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the receipts derived from the internal resources of the Republic during the ensuing year, under his proposed system for of fifty cents and an increase in the rate of assessment from one-half to three-fourths per cent on the valuation; an



collecting the revenue, would be as follows:

From Customs	400,000.00	
Taxes and Land Dues and increase	500,000.00	
Sales of Lots in the Cities		
of Austin and Calhoun	400,000.00	
Total of the Estimated		25
Receipts for fixed salaries for officers	\$1,300,000.00	

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25

William M. Gouge, The Fiscal History of Texas (Philadelphia, 1852), 99.

Smither, Journals of the Fourth Congress, III, 41-44.

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In referring to this estimate in a communication dated November 14, Starr remarked:

Under the present system of laws however, owing to their defects in prescribing the manner of assessing and collecting the direct tax, and the inability of this department to compel the receivers of public moneys to pay them into the treasury, it is believed that not one-fourth of that sum would be realized by the government. 26

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26

Ibid.

Smither, Journals of the Fourth Congress, II, 102-103.

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With a view to improve the efficiency of the collection of revenue, he recommended the enactment of the following measures: the placing of heavy penalties on all collectors of revenue who failed to make reports and returns of funds at stated periods; an improvement in the existing laws for the assessment and collection of direct taxes; an increase in the minimum valuation of land to one dollar per acre instead of fifty cents and an increase in the rate of assessment from one-half to three-fourths per cent on the valuation; an



an improvement in the method of the collection of impost duties; an entire revision and increase in the several tariff acts; the enforcement of legitimate importations; and a provision for fixed salaries for the various officers of the customs.<sup>27</sup>

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<sup>27</sup> Smither, Journals of the Fourth Congress, III, 41-44.

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He also suggested that a portion of the revenue which accrued from fines and forfeitures in the several counties be used for the keeping of prisoners, recommended the sale of unsold and forfeited lots on Galveston Island, and asked for the modification of the laws relating to the fees of district attorneys.<sup>28</sup>

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<sup>28</sup> Smither, Journals of the Fourth Congress, II, 102-103.

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Congress passed laws in pursuance of all these recommendations except the ones regarding the duties on imports and the minimum valuation of land.

Starr also presented a list of the expenses for re-



moving the Cherokee and other Indians from Texas. Later,

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29

Smither, Journals of the Fourth Congress, II, 17.

*Session of the Fourth Congress (Houston, 1840), 100-106;  
Starr, Some Biographical Notes, Starr Papers.*

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he had some trouble settling the accounts for the removal of the Shawnee Indians because of the Secretary of War's refusal to pay the expense out of the appropriation of the Fourth Congress for the protection of the frontier. It was believed that if the account were added to the military expenses of the government the report would appear enormous.

*Letterbook, Treasury Department, November 14, 1836 to February 22, 1840, p. 201.*

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30

Starr, Private Memoranda, Starr Papers.

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The Treasury Department finally completed its settlement with the Shawnees through the Indian Commissioner, Thomas J. Rusk, in February.

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Thomas J. Rusk to James Harper Starr, February 1, 1840, Starr Papers.

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The Fourth Congress passed a law written by Starr which better defined the duties of the several officers of his de-

Later, Starr appointed James Love and William Bryan agents at the Galveston and New Orleans offices, authorizing



partment and materially remedied the existing defects.<sup>32</sup>

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<sup>32</sup> Laws of the Republic of Texas, Passed at the Session of the Fourth Congress (Houston, 1840), 100-106; Starr, Some Biographical Notes, Starr Papers.

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During 1838 and 1839 many of the larger counties like Harris failed to send in any funds to the treasury department.<sup>33</sup>

On February 19, the department stopped issuing

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<sup>33</sup> James H. Starr to Patrick C. Jack, June 23, 1840, Letterbook, Treasury Department, November 14, 1836 to February 22, 1842, p. 201.

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promissory notes and informed the people that in the future no new notes would be issued on the Republic because the amount in circulation was deemed sufficient to meet all the necessary expenses of the government. The Austin City Gazette remarked in its columns: "We are sure that this news will be hailed with rejoicing by every party and community in Texas."<sup>34</sup>

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<sup>34</sup> Austin City Gazette, February 19, 1840.

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Later, Starr appointed James Love and William Bryan agents at the Galveston and New Orleans offices, authorizing



in circulation and Starr constantly warned the public to them to receive promissory notes in order to withdraw as many as possible from circulation and thereby help the financial situation in the Republic.<sup>35</sup>

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James H. Starr to Charles de Morse, June 4, 1840, Letterbook, Treasury Department, November 14, 1836 to February 22, 1842, pp. 188-189.

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Much smuggling was carried on during the early part of the Lamar administration and Starr authorized collectors to appoint a sufficient number of agents to stop the illegal practice.<sup>36</sup> Much of this was due to the belief that citi-

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James H. Starr to R. C. Doorn, July 4, 1839, Customs Record, p. 65, Archives of the Texas State Library.

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In July, James Latham complained to the Secretary of  
zens of the country were privileged to bring in goods for  
their own use free of duty. In reality, the exemption ex-  
tended only to "emigrants" bringing articles which were re-  
quired for their own use at the time of their emigration.<sup>37</sup>

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37

James H. Starr to H. L. Anderson, (n. d.), Customs Records, p. 71.

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There were many counterfeit notes and audited drafts



in circulation and Starr constantly warned the public to designate in their receipts the particular drafts and notes received.<sup>38</sup> Judge Evans had lost a large number of the certi-

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<sup>38</sup> James H. Starr to Patrick C. Jack, June 23, 1840, Letterbook, Treasury Department, November 14, 1836 to February 22, 1842, p. 201.

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ificates while bringing them from New Orleans. The signatures on these notes were executed so well that only the treasury department could detect the forgery.<sup>39</sup>

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<sup>39</sup> James H. Starr to William Bryan, June 3, 1840, Letterbook, Treasury Department, November 14, 1836 to February 22, 1842, p. 185.

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In July, James Latham complained to the Secretary of State that M. de Saligny, the chargé d'affaires of the French government had passed counterfeit promissory notes on the Republic of Texas to a "waggoner" in his employ, and had refused to redeem them. The matter was referred to Starr, who expressed his surprise at the refusal of the French diplomat to redeem the notes. He sent a note at once to William Sevey, a clerk in the Treasury Department, instructing him to give Latham three hundred dollars for the counter-



feit notes and to take his receipt on the back of the affidavit, stating that the notes were received from Saligny.

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<sup>40</sup> George P. Garrison (ed.), Diplomatic Correspondence of the Republic of Texas (Washington, 1908-1911), III, 1329.

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thousand dollars had also mysteriously disappeared from the Treasurer's office and the President appointed a commission  
 Then the Secretary of the Treasury marked across each note, "Counterfeit -- James H. Starr." Later, he and some of the

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<sup>41</sup> Garrison (ed.), Diplomatic Correspondence, III, 1330.

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James H. Starr to George W. Hockley, William G. Cook, and Charles Mason, August 4, 1840, Letterbook, Treasury Department, pp. 225-228.

other members of his cabinet agreed to replace the sum out of their own pockets, in order to avoid any difficulty with M. de Saligny.

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<sup>42</sup> Ibid. carrying on a very unpleasant correspondence with A. Brigham, the recently disrupted Treasurer.

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Facts clearly show that he has used the public money for his own benefit with a liberal hand. . . . I think the truth will yet be known. I believe in Asa Brigham, the Treasurer of the Republic, was removed from office in April, 1840. President Lamar's reason

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<sup>43</sup> Austin City Gazette (Austin), April 15, 1840.

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for his removal was the official misconduct of Brigham's chief



clerk, and Brigham's refusal to correct the many abuses in  
conducting his office.<sup>44</sup> A package containing thirty-seven

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return of the government's funds, and his firm conviction

<sup>44</sup> Austin City Gazette (Austin), September 2, 1840.  
The investigation continued for more than four

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thousand dollars had also mysteriously disappeared from the  
Treasurer's office and the President appointed a commission

to examine Brigham's accounts when he refused to deliver  
his papers and vouchers to the new Treasurer, D. P. Barhydt.<sup>45</sup>  
money had been returned to the Treasurer's office.

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<sup>45</sup> James H. Starr to George W. Hockley, William G.  
Cook, and Charles Mason, August 4, 1840, Letterbook, Treasury  
Department, pp. 225-228.

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Starr believed that his treasurer was guilty and cooperated  
with the committee's investigation. He wrote:

. . . am carrying on a very unpleasant correspondence  
with A. Brigham, the recently disrupted Treasurer . . .  
. . . Facts clearly show that he has used the public  
money for his own benefit with a liberal hand . . .  
I think the truth will yet be known. I believe in  
destiny as regards this case and that the guilt will  
be exposed. I feel sorry for Brigham and also con-  
vinced that he has greatly erred . . .<sup>46</sup>

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<sup>46</sup>

Starr, Private Memoranda, Starr Papers.

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<sup>49</sup> James H. Starr to Mirabeau B. Lamar, April 12, 1840,  
Lamar Papers, III, 357-358.

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Starr waited two months after the dismissal of the



Treasurer before beginning his correspondence with Brigham. This delay on the part of Starr in attempting to secure the return of the government's funds, and his firm conviction of the guilt of the removed official brought about much criticism.<sup>47</sup> The investigation continued for more than four

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47

Austin City Gazette, September 23, 1840.

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months and by the end of the time almost all the missing money had been returned to the Treasurer's office.<sup>48</sup>

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48

Austin City Gazette, September 9, 1840.

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When Starr accepted the position in Lamar's cabinet, he expected that his salary and payments by his debtors would be sufficient to support his family, but "hard times" limited his income to the salary which he received as Secretary of the Treasury. The administration of the estate of his deceased brother needed to be closed, and Starr feared that if this matter were placed in the hands of an attorney<sup>49</sup> the interests of the heirs would suffer.

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49

James H. Starr to Mirabeau B. Lamar, April 12, 1840, Lamar Papers, III, 367-368.

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On May 30, 1839, Starr asked the President for permission to resign as Secretary of the Treasury, but Lamar and the other high officials of the government urged him to remain because they felt that there was no one who could take his place. <sup>53</sup> 50 James H. Starr to Mirabeau B. Lamar, April 12, 1840, Lamar Papers, III, 367-368.

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<sup>50</sup> James H. Starr to Pamela O. Starr, May 30, 1839, Starr Papers.  
31, 1840.

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<sup>54</sup> On March 23, 1840, Starr asked the President for a leave of absence from the seat of government for two months. <sup>51</sup> 1840, Lamar Papers, III, 441-442.

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<sup>51</sup> James H. Starr to Mirabeau B. Lamar, March 23, 1840, Lamar Papers, III, 355.  
on October 15, 1840, showing that during the year ending

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September 30, 1840, the actual receipts of funds coming into The long absence from his family and the derangement of his private affairs were the chief reasons for his wanting to return to Nacogdoches. He recommended that his chief clerk, William Sevey, be authorized to serve as acting Secretary of the Treasury during his absence because of the clerk's knowledge of the duties of the office. <sup>52</sup> 52

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<sup>53</sup> Gouge, The Fiscal History of Texas, 105-106.  
<sup>52</sup> James H. Starr to Mirabeau B. Lamar, March 25, 1840, Letterbook, Treasury Department, November 14, 1836 to February 22, 1842, pp. 367-368.

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As Secretary of the Treasury, Starr was conscientious. He neglected everything else for his work, and he was able to



When Starr reached home, he found that his private affairs needed all of his attention and decided to resign at an early date.<sup>53</sup> His resignation was tendered on August

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James H. Starr to Mirabeau B. Lamar, April 12, 1840, Lamar Papers, III, 367-368.

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54

31, 1840.

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54

James H. Starr to Mirabeau B. Lamar, August 31, 1840, Lamar Papers, III, 441-442.

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The acting Secretary of the Treasury made his report on October 15, 1840, showing that during the year ending September 30, 1840, the actual receipts of funds coming into the Treasury amounted to \$458,919.86. This was slightly more than one-third of the amount Secretary Starr had estimated, and since this was received in government paper, which was valued at twenty cents on the dollar, it was equal to only ninety-two thousand dollars in specie.<sup>55</sup>

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Gouge, The Fiscal History of Texas, 105-106.

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As Secretary of the Treasury, Starr was conscientious. He neglected everything else for his work, and he was able to



secure the cooperation of his co-workers. However, he, like the other members of the cabinet, was handicapped by the conditions which had been allowed to exist in the previous administration and which could not be remedied

Starr returned to the practice of medicine after resigning as Secretary of the Treasury in the autumn of 1840.

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<sup>1</sup> Fulmore, The History and Geography of Texas, 94.  
 Papers, University of Texas Archives.

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He believed that a physician should give his full time to the practice of medicine as diversity of thought impaired his professional fitness.<sup>2</sup> He held an exceedingly high re-

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<sup>2</sup> Brown, The Encyclopedia of the New West, I, 607.

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gard for the profession and felt that it was his moral obligation to give to human suffering the best efforts of "both mind and body."<sup>3</sup> He served as the family physician of the

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<sup>3</sup> Starr, Some Biographical Notes, Starr Papers.

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families of Thomas J. Rusk, John H. Moffett, Kelsey H. Douglas, Nathaniel Amory, Adolphus Sterne, H. H. Edwards,



Frost Thorn, John S. Roberts, Henry Raguet, and others in

the vicinity of Nacogdoches. Much of his practice of medi-

OTHER ACTIVITIES DURING THE PERIOD OF THE REPUBLIC

Starr returned to the practice of medicine after re-  
signing as Secretary of the Treasury in the autumn of 1840.<sup>1</sup>

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<sup>1</sup> Fulmore, The History and Geography of Texas, 94.  
Starr, Private Papers, University of Texas Archives.

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He believed that a physician should give his full time to  
the practice of medicine as diversity of thought impaired  
his professional fitness.<sup>2</sup> He held an exceedingly high re-

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<sup>2</sup> Brown, The Encyclopedia of the New West, I, 607.  
until one more lick would cause death.

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lick before the death lick . . . Dr. Starr refused to  
guard for the profession and felt that it was his moral obli-  
gation to give to human suffering the best efforts of "both  
mind and body."<sup>3</sup> He served as the family physician of the

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<sup>3</sup> Starr, Some Biographical Notes, Starr Papers.

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families of Thomas J. Rusk, John H. Moffett, Kelsey H.  
Douglas, Nathaniel Amory, Adolphus Sterne, H. H. Edwards,

became so great that very little time could be given to the



Frost Thorn, John S. Roberts, Henry Raguet, and others in the vicinity of Nacogdoches. Much of his practice of medicine was of a charitable nature. He treated all kinds of diseases, pulled teeth, and performed many other surgical and medical duties common to the practice of a country doctor.<sup>4</sup>

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Brown, *The Encyclopedia of the New West*, I, 807;

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<sup>4</sup> Starr, Private Memoranda, Starr Papers; Henry Raguet Papers, University of Texas Archives.

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Homer Price, editor of the Marshall Morning News, in his paper told this story:

It seems that one of an organization had captured a man belonging to the opposition who was charged with some offense that was not quite thought to deserve death. . . and his penalty was decided to be beaten until one more lick would cause death.

Dr. Starr was to decide on which would be the last lick before the death lick . . . Dr. Starr refused to be the Judge . . . the punishment was carried out, and the man was beaten until dead. 5

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<sup>5</sup> From an undated clipping in possession of Mrs. J. F. Lentz of Marshall, a great-granddaughter of Starr.

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With Starr, the practice of medicine had been attended by harassing anxieties and cares, arising from an acute sense of its responsible and exacting claims. His land business became so great that very little time could be given to the



practice, so he abandoned the profession with reluctance.

After his retirement, medical studies, especially in the philosophical departments, were ever attractive to him and he often returned to them in connection with his studies of natural science.

James H. Starr to Pamela O. Starr, October 2, 1840, Starr Papers; James H. Starr to S. B. True, February 3, 1841, Starr Papers.

Brown, The Encyclopedia of the New West, I, 607; Fulmore, The History and Geography of Texas, 94.

In the fall of 1840, Kelsey H. Douglas died and his widow and sisters urged Starr to administer the estate of his friend. On acceptance of the request, Starr made bond to the amount of \$75,000.00, with Thomas J. Rusk, Fred K. T. Phillips, and John Durst as securities. After examining

Starr, Private Memoranda, Starr Papers.

the condition of the estate of Douglas, he wrote: "aweful business that estate... papers burnt, books badly kept, oceans of creditors, no money, and damn bad creditors."

James H. Starr to Pamela O. Starr, October 2, 1840, Starr Papers.

James H. Starr to Richardson, Waterman, and Wood, [n. d.], Starr Papers.

He soon found that the estate was insolvent and that it would of the property was made more difficult because a store with



be impossible to turn the property into cash totaling two-thirds the appraised value as required by existing laws of the Republic.<sup>9</sup> He suggested that the creditors should di-

James H. Starr, S. B. True, February 3, 1841, Starr

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<sup>9</sup> James H. Starr to Pamela O. Starr, October 2, 1840, Starr Papers; James H. Starr to S. B. True, February 3, 1841, Starr Papers.

the claims as they were presented. On one occasion he won

twenty-three cases out of twenty-four for the estate in the

vide the effects of the estate according to the claims of each, which would save much expense and time of administra-

<sup>10</sup> tion. The suggestion was accepted readily when the creditors

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<sup>10</sup> James H. Starr to Jones Ufford and Company, March 20, 1841, Starr Papers.

found out the real condition of the estate and the existing laws.<sup>11</sup> The estate consisted chiefly of debts owed to Doug-

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<sup>11</sup> James H. Starr to Charles Power, March 20, 1841, Starr Papers.

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<sup>12</sup> las, a few slaves, and a large amount of land. The disposal

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<sup>12</sup> James H. Starr to Richardson, Waterman, and Wood, [n. d.], Starr Papers.

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of the property was made more difficult because a store with



all evidence concerning the liabilities of Douglas had been  
<sup>13</sup> destroyed by fire. Starr had to judge the validity of

<sup>13</sup> Record of County Court of Nacogdoches County,  
 Texas, 1831.

James H. Starr, S. B. True, February 3, 1841, Starr  
 Papers.

the claims as they were presented. On one occasion he won  
 twenty-three cases out of twenty-four for the estate in the  
<sup>14</sup> justice of peace court.

<sup>14</sup> Hatchford, "About Your Ancestors," in The Dallas  
 Morning News, November 13, 1932.

Starr, Private Memoranda, Starr Papers.

The creditors of Douglas were consulted on important  
 business of the estate and notified of the progress of the  
 administration by circular letters. <sup>15</sup> The administration

<sup>15</sup> James H. Starr to Charles Power, March 20, 1841,  
 Starr Papers; James H. Starr to Richardson, Waterman, and  
 Wood, [n. d.], Starr Papers.

of the estate was so complicated that Starr was forced to  
 open an office for the transaction of its business, and  
 about the same time began to handle land transactions for  
<sup>16</sup> non-resident owners. Finally, the affairs of the estate

<sup>16</sup> Brown, The Encyclopedia of the New West, I, 607.



were settled with a majority of the creditors satisfied.

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17

Record of County Court of Nacogdoches County,  
Texas, July 28, 1851.

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John W. Middleton, *History of the Regulators and  
Moderators and the Shelby County War of 1841 and 1842*,  
public of Texas (Fort Worth, 1883), 23.

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The office which Starr opened for the administration  
of the Douglas estate gradually developed into an extensive  
land agency representing interests of non-resident land owners.

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18  
Ratchford, "About Your Ancesters," in The Dallas  
Morning News, November 13, 1932.

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This agency was opened upon the request of a number of citi-  
zens of the United States who wanted Starr to take charge  
of their Texas interests. At first, he made no charge for  
his services, but applications became so numerous that he  
was compelled either to decline altogether or to open a  
regular land agency. In 1844, Nathaniel Amory, former  
acting Secretary of State under Lamar, joined Starr in the  
agency, which continued under the name of Amory and Starr for  
a number of years.

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19

Starr, Some Biographical Notes, Starr Papers.

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In 1841, while he was busily employed with the admini-



stration of the Douglas estate and with the agency, a feud<sup>20</sup> started nearby in Shelby County. One faction was called

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20

John W. Middleton, History of the Regulators and Moderators and the Shelby County War of 1841 and 1842, Republic of Texas (Fort Worth, 1883), 23.

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the Moderators and another group that desired to end their lawlessness was called Regulators. Sam Houston, President of the Republic, who happened to be visiting San Augustine, in an adjoining county, received an appeal from the Moderators<sup>21</sup> for assistance.

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21

Levi Ashcroft, Ashcroft's Regulators and Moderators, MS, Archives of the Texas State Library, Austin.

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The President had expected an attack of Santa Anna and believed that the strife between the citizens would enable the Mexican general to overrun the country. With this thought in mind, he called out the militia of fifteen hundred<sup>22</sup> men under the leadership of General James Smith. Starr

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22

Middleton, History of the Regulators and Moderators, 25.

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volunteered his services as a surgeon.<sup>23</sup>

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<sup>23</sup>

Fulmore, The History and Geography of Texas, 94.

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Upon the arrival of the militia, the citizens of Shelby County surrendered their weapons and returned home.<sup>24</sup>

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<sup>24</sup>

Middleton, History of the Regulators and Moderators,  
25.

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Starr's interest in the affairs of the Republic of Texas did not lessen after he retired as Secretary of the Treasury. He continued to render service to the government by advising the officials concerning improvement in the efficiency of the various departments. For example, he wrote to President Lamar, predicting that:

. . . the grand military expedition getting up against the Comanches under Major General Felix Huston will prove not a splendid but a very expensive failure -- that he will not kill twenty Indians and that the expenditure will cost not less than \$1,200,000.00. <sup>25</sup>

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<sup>25</sup>

Starr, Private Memoranda, a note of a letter sent to President Lamar, October 8, 1839, Starr Papers.

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Soon after Starr arrived in Texas, he displayed an in-



terest in the establishment and maintenance of schools. <sup>26</sup>

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<sup>26</sup>

by President Brown, The Encyclopedia of the New West, I, 608.

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Blount, Some notes on the Nacogdoches University.  
He realized the importance of an educational system and felt that it was his duty to use his influence toward the provision of public schools. <sup>27</sup>

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<sup>27</sup>

Starr, Some Biographical Notes, Starr Papers.

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The citizens of Nacogdoches, like the people of various other towns of Texas, were interested in the establishment of a university. A mass meeting was held at the courthouse on November 1, 1844, and the citizens unanimously agreed to petition for such a school. Frost Thorn, who presided at the meeting, appointed Charles S. Taylor, James H. Starr, Dr. T. Jeff Johnson, and Rev. John M. Becton as a committee to draw up a charter. This charter was unanimously adopted at a second meeting.

After On October 27, 1844, Starr gave 1,476 acres of land as his part on the subscribed list to aid in getting the university established. <sup>28</sup>

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<sup>28</sup>

Lois Foster Blount, Some notes on the Nacogdoches University, 1845-1900, Crocket East Texas Collection, Stephen F. Austin State Teachers College Library, Nacogdoches.

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time to time, as the institution grew.

The charter was ratified by Congress, and was signed  
by President Anson Jones, on February 3, 1845. By the act  
of Congress, T. Jeff Johnson, Solomon Wolfe, and Frost Thorn.

29

Blount, Some notes on the Nacogdoches University.

33

Blount, Some Notes on the Nacogdoches University.

of incorporation, the Republic granted four leagues of land  
to the University.

30

in correspondence with prospective teachers and their friends in all parts of the United States, since

30

Frederick Eby, Education in Texas (Austin, 1919),  
205.

He was so careful in securing well qualified teachers

34

During the following month Starr was made chairman of  
a committee whose duty was to draft a plan of a building for

31

the university. Various types of structures were proposed.

that he wrote to Horace Mann on one occasion asking the edu-

31

M. A. Montrose to James H. Starr, March 12, 1845,  
Nacogdoches University Papers, Stephen F. Austin State Teachers  
College, Nacogdoches.

the inconvenience of going so far away from home. He sent

Starr a number of documents on the subject of education, in-

After the members of the committee studied these proposals,  
they ordered the construction of a well-designed brick build-

ing. Later a new frame building was erected for the female

32

students. The members of the original board were W. W.

32

Brown, The Encyclopedia of the New West, I, 608.



Wingfield, Joseph D. Sharp, James H. Durst, Robert Wynne, Ambrose Cram, David Muckleroy, William Hart, Bennett Blake, Charles S. Taylor, Thomas J. Rusk, James H. Starr, John M. Becton, T. Jeff Johnson, Solomon Wolfe, and Frost Thorn.

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33

Blount, Some Notes on the Nacogdoches University.

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Starr engaged in correspondence with prospective teachers and their friends in all parts of the United States, since he was chiefly responsible for the selection of faculty members. He was so careful in securing well qualified teachers

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34

Nacogdoches University Papers, Stephen F. Austin State Teachers College Library, Nacogdoches.

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that he wrote to Horace Mann on one occasion asking the educator to send him a teacher for the university. Mann replied to his letter by stating that none were available because of the inconvenience of going so far away from home. He sent Starr a number of documents on the subject of education, including his eleventh report. Starr used his influence in

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35

Horace Mann to James H. Starr, January 15, 1848, Starr Papers.

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38

Starr, Some Biographical Notes, Starr Papers.

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Congress by writing to and conferring with various members in order to get special funds and land grants for the university.<sup>36</sup> He wrote:

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<sup>36</sup> John H. Moffett to James H. Starr, January 2, 1845, Starr Papers.

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Starr served continuously on the board of trustees from the beginning of the Nacogdoches University until the Civil War. He served one year as president of the board and another year as vice-president. During the remainder of the time, he was treasurer and business manager.<sup>37</sup>

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<sup>37</sup> Blount, Some Notes on the Nacogdoches University; Brown, The Encyclopedia of the New West, I, 608.

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The University was a success for the first years after its establishment and assumed its most encouraging outlook in 1859. The Civil War closed the school temporarily and blighted its promising future because teachers and students enlisted in the Confederate army and many failed to return. The reconstruction period also brought about conditions that could not be remedied by the efforts of the trustees and friends of the institution.<sup>38</sup>

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<sup>38</sup> Starr, Some Biographical Notes, Starr Papers.

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On June 25, 1868, Starr sent his resignation as trustee to R. S. Walker, president of the board of Nacogdoches University. He wrote:

. . . I have had the honor of participating in the deliberations of the Board of Trustees and have borne a share of the labors and sacrifices which our community has bestowed upon the project of establishing here a School of high character. . . . That our endeavors have not been rewarded by the degree of success which was hoped for and expected, it is a matter of regret, but I trust is in no way attributable to mismanagement or a want of proper interest, on the part of the Trustees.

The absence of a living and earnest educational interest among the body of our people, the want of capital to aid those in whom the proper interest existed, and the dreadful disasters which have befallen our people and country during the last seven years, have combined to defeat our well-meant educational efforts.

Since recent payment of nearly all of the indebtedness of the University and the consequent reduction of its property (which has been long under my charge) the management of its pecuniary affairs will be free from difficulty and require but little time and labors. . . .

I shall always be ready to perform a citizen's duty in reference to the University schools . . . . 39

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39

James H. Starr to R. S. Walker, June 25, 1868, Nacogdoches University Papers.

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Until this time, Starr felt that he had been successful in all undertakings and this failure was "painful and humiliating." 40 The university was discontinued soon after his

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40

Brown, The Encyclopedia of the New West, I, 608.

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resignation.



Today, on the campus of the Nacogdoches Public Schools stands the old Main Building, a reminder of the efforts of Starr and other outstanding citizens who sacrificed in the interest of education.

At the time the Nacogdoches University was established, the question of annexation was before the people of Texas. Starr favored the measure because of his inherited respect and confidence in the United States. He still possessed the feeling of common pride of "old Texans" in the success of the Republic but felt that the rights of the citizens and of the state would be more secure under the Federal constitution. It is possible, of course, that if he could have foreseen the developments of the next two decades, culminating in the Civil War, his desire for annexation might have been tempered  
41  
by forebodings.

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James O. Hollingsworth to James H. Starr, January 31, 1862, Starr Papers.

41

Starr, Some Biographical Notes, Starr Papers; Brown, The Encyclopedia of the New West, I, 608.

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Shortly after the establishment of the land agency, Nathaniel Amory became a partner in the business, but after fourteen years he decided to go to the North, believing that more money could be made there. Until Amory's death in 1865 Starr continued to handle his business in Texas.

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2 Edwin Hill to James H. Starr, August 4, 1865, Starr Papers.

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Starr's land agency was a success from the beginning because of his outstanding ability and his knowledge of the technicalities of existing land laws. He soon became well known for his honesty and sincerity in dealing with the public.

CHAPTER V

CIVIL WAR ACTIVITIES

For the next fifteen years after the accomplishment of annexation, Starr's attention was centered in his business activities as a land agent. This business really began with the administration of the Kelsey H. Douglas estate in 1844. The settlement of this estate gave Starr the needed experience in operating a land agency, for the bulk of the property consisted of lands located throughout Texas. His reputation as a land agent soon spread throughout the country. In 1861 Starr owned lands in twenty-seven counties of Texas.<sup>1</sup>

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<sup>1</sup> James O. Hollingsworth to James H. Starr, January 31, 1862, Starr Papers.  
be derived from the following letter which was addressed to Starr:

Shortly after the establishment of the land agency, Nathaniel Amory became a partner in the business, but after fourteen years he decided to go to the North, believing that more money could be made there. Until Amory's death in 1865 Starr continued to handle his business in Texas.<sup>2</sup>

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<sup>2</sup> Edwin Hill to James H. Starr, August 4, 1865, Starr Papers.

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Starr's land agency was a success from the beginning because of his outstanding ability and his knowledge of the technicalities of existing land laws. He soon became well known for his honesty and sincerity in dealing with the public. Not a single instance of dishonesty appears in all his business transactions, for all sales of property were found to be as represented. His popularity with all types of people caused both the poor and the rich to seek his services. He acquired a large amount of land himself because the sparsity of settlement and abundance of land led many settlers to sell their land for a meager sum without realizing its potential value. The general ignorance of the population and the complications arising from the multiplicity of the land laws led hundreds of individuals to rely upon Starr to solve their land problems.

Lamar: An indication of the type of information sought may be derived from the following letter which was addressed to

Starr:

. . . I am requested to secure information for the relatives of Thomas Burbridge, who was a soldier in the Texian War of Independence. The bounty lands and much other property as he was entitled to at the time of his death -- he was one of the victims of the Mexican vengeance killed with the others under Fannin -- now his relatives here wish to know who, will under the Texas laws inherit his property -- he died without a wife, and his mother, four brothers and sisters living in Georgia -- For any information you will receive thanks. Please, say what kind of papers must be made out and what evidence of relationship will be required. 3



3

Andrew R. Moore to James H. Starr, December 20, 1848, Starr Papers.

Edward D. Hobbs to James H. Starr, November 12, 1850, Starr's agency dealt not only with the sale of lands but also with other types of business. Starr represented many absentee owners in the payment of taxes and supervision of property, reporting conditions and value on request. The handling of abstracts and other matters related to the general land office were a part of his work. It was not unusual for land owners to die and leave their relatives knowing little about their property. Starr was active in securing such information for his patrons. An example of the confidence which was placed in him is furnished by the following excerpt from a letter from the widow of Mirabeau Buonaparte Lamar:

...The last letter you wrote to my dear husband was never received by him . . . I will ask you to do all you can to get his lands attended to. You know probably better than anyone else about them, and I will depend upon your advice and assistance. 4

4

Henrietta Lamar to James H. Starr, December 7, 1860, Starr Papers.

His customers appreciated his efforts in their behalf and gave publicity to his agency. Albert Sidney John-



ston recommended Starr to manage some land claims for his friends near Louisville, Kentucky.<sup>5</sup> His land agency served

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<sup>5</sup> Edward D. Hobbs to James H. Starr, November 12, 1850, Starr Papers.

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as a bureau for advertising Texas to prospective settlers from all parts of the United States.<sup>6</sup>

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<sup>6</sup> John Reilly to James H. Starr, October 21, 1848, Starr Papers.

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On numerous occasions, Starr's land customers would be unable to meet the installments on their property and would ask for an extended time on the payments and the requests were always granted. In the correspondence of Starr can be found the sorrows of his clients. Droughts, floods, deaths, and other tragedies were recorded. He, always kind and sympathetic toward their misfortunes, volunteered to make any possible sacrifice for them.

The business of the land agency was almost suspended during the Civil War. At the beginning of the struggle many owners of Texas property in the north sought Starr's assistance in looking after their lands. After the war, the land business seemed to thrive because of the great immigration



of people to Texas and the readjustment process in general.

After Amory's retirement, Starr continued the agency alone until his son James returned from the University of Virginia and became his partner in 1868.

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7

Starr, Some Biographical Notes, Starr Papers.

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10

In 1870, the Starrs removed their residence from Nacogdoches to Marshall, where they established Marshall's first bank in connection with their agency.

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8

Note written by R. P. Littlejohn of Marshall, in possession of Mr. and Mrs. J. F. Lentz.

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In 1873, both Starr and his son James retired from business. A younger son, Amory, succeeded them in the land agency, and Raguet and Fry took over the banking business. The elder Starr's physical infirmities together with his advancing years denied him the privilege of continuing business pursuits.

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9

Starr, Some Biographical Notes, Starr Papers.

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Despite his growing business activities, however,



Starr's interests in public affairs did not decline when Texas joined the Union in 1845. He approved of the United States' action against Mexico in 1846, believing that "the Mexicans deserved a flogging for her unchristian mode of warfare in the struggle against Texas."<sup>10</sup> He opposed John

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10

James H. Starr to Thomas J. Rusk, January 25, 1848, Thomas J. Rusk Papers, Archives of the University of Texas.

him, leaving behind Temple's daughter because of his lack of funds. Before separating the two, Starr promised to buy the Calhoun's plan of withdrawal of a large number of troops from Mexico, because he realized that the leading property holders of Mexico would sue for peace if the United States troops were allowed to occupy the principal Mexican cities.<sup>11</sup>

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11

Ibid.

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A negro by the name of Watt was the only negro ever sold by Starr. Starr took no active part in the Mexican War because of his bad health.<sup>12</sup>

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12

Pamela O. Starr to James H. Starr, August 30, 1846, Starr Papers.

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Mr. Jennings, the owner of Watt's wife was his selection and Starr asked that the slave be allowed to own a horse.

In the crisis of 1850, Starr held to the views of the southern people and accepted the compromise made by Congress.



Although Starr was morally opposed to slavery, he considered it a necessary evil. Therefore, he owned enough slaves to run his home efficiently.<sup>13</sup> When he came to Texas

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<sup>13</sup> Lentz, "Lecture on James Harper Starr," in Marshall News Messenger, March, 1936.

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in 1837, he brought Tempie, a lone negro slave woman, with him, leaving behind Tempie's daughter because of his lack of funds. Before separating the two, Starr promised to buy the daughter at the first sight of prosperity in the new land.

He once said, "I have never purchased a slave with the view of selling him again and never shall so purchase one."<sup>14</sup>

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<sup>14</sup> Ibid.

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Starr disapproved of the secession of the Southern States from the Union. He believed that the union of by Starr. The negro was in the habit of getting drunk and his master warned him that unless he quit the evil he would be sold. The negro continued to drink and Starr decided to sell him, but he allowed Watt to select his own master. A Mr. Jennings, the owner of Watt's wife was his selection and Starr asked that the slave be allowed to own a horse.<sup>15</sup>

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<sup>15</sup> Ibid.

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As the sectional controversy developed, feeling in Texas became more intense, and when a number of towns in East Texas were burned in the summer of 1860, many people in that section of the state believed that the destruction was the work of abolitionists. Starr was not willing, however, to accept this view, and told his friends that he felt that abolitionism had nothing to do with the incendiarism.

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<sup>16</sup> He opposed the movement with such earnestness that Edwin Hall to James H. Starr, October 2, 1860, Starr Papers.

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The election of Lincoln in 1860 and the resulting fear on the part of the South that this would bring about a nullification of the rights which it believed had been guaranteed to it by the Constitution caused many of the Southern leaders to favor immediate secession.

Starr disapproved of the secession of the Southern states from the Union. <sup>17</sup> He believed that the union of

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<sup>17</sup> Ratchford, "About Your Ancestors," in The Dallas Morning News, November 13, 1932.

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states under the constitution of 1789 was of incalculable benefit to the North and South alike and that it was the paramount duty of all the citizens to preserve the federal



principle of government for themselves and their posterity.<sup>18</sup>

the privilege of fighting on the battlefield, he served in

<sup>18</sup> Starr, Some Biographical Notes, Starr Papers.

his wife spent much time teaching friends to knit. His two

sons, James and Amory, served in the Confederate Army and

As a delegate at the convention called in Texas to consider the question of secession, Starr and other prominent citizens carried the vote of Nacogdoches County against the

<sup>19</sup> measure. He opposed the movement with such earnestness that

Hatchford, "About Your Ancestors," in the Dallas Morning News, November 13, 1932.

<sup>19</sup> Brown, The Encyclopedia of the New West, I, 608.

his friends who were secessionists were afraid to ask favors

<sup>20</sup> of him.

ment of the laws. His duty as receiver was to prevent

<sup>20</sup> T. J. Jennings to James H. Starr, January 15, 1860, Starr Papers.

Fulmore, The History and Geography of Texas, 88.

When all hopes of reconciliation between the North and South were gone, Starr abandoned his opposition and joined whole-heartedly in the preparation for the common defense of his people.<sup>21</sup>

were not received by Starr at a specified time the citizens

<sup>21</sup> Starr, Some Biographical Notes, Starr Papers.

<sup>24</sup> William P. Hill to James H. Starr, November 21, 1861, Starr Papers.



Although age and physical disabilities denied Starr the privilege of fighting on the battlefield, he served in civil capacities for the Confederate States of America while his wife spent much time teaching friends to knit. His two sons, James and Amory, served in the Confederate Army and his son-in-law, Henry Raguet, Major of the Fourth Texas Cavalry, fell in the New Mexico campaign under General Sibley.

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<sup>22</sup> Ratchford, "About Your Ancestors," in The Dallas Morning News, November 13, 1932.

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The Congress of the Confederate States passed the Sequestration Act in 1861. Starr was appointed by the district court of Tyler to act as a receiver in the enforcement of the laws.

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<sup>23</sup> Fulmore, The History and Geography of Texas, 68.

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funds from being sent North to creditors or other individuals and to secure voluntary statements concerning the financial status of business men in his district. If these reports were not received by Starr at a specified time the citizens were subject to the writ of garnishment.

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<sup>24</sup> William P. Hill to James H. Starr, November 20, 1861, Starr Papers.

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of all loyal citizens of the district to inform him of property or credits that were due "alien enemies."<sup>25</sup> Starr

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<sup>25</sup> John T. Stark to James H. Starr, December 5, 1861, Starr Papers.

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was successful because of the cooperation of the people in carrying out this act.

Much of Starr's time was spent in attendance of the district court at Tyler but he continued to maintain his residence at Nacogdoches.

He soon found that the Sequestration Act needed some type of amendment to be effective. His several suggestions to F. B. Sexton, a member of the provisional Confederate Congress, were enacted into laws.<sup>26</sup> The new measure changed

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<sup>26</sup> F. B. Sexton to James H. Starr, December 26, 1861, Starr Papers.

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the first in many respects as the property and other rights of the enemies were to be directly confiscated instead of sequestered.<sup>27</sup>

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<sup>27</sup> F. B. Sexton to James H. Starr, March 1, 1862, Starr Papers.

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Until this time Starr had been very lenient toward the citizens who owed debts to the Northern concerns. In 1863, he filed suits against everyone failing to pay the interest on his debts to the Confederate Government.<sup>28</sup> This action

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<sup>28</sup> John Collins to James H. Starr, March 12, 1863, Starr Papers.

place for the location of the new agency and Starr was instructed to secure suitable quarters there for the transaction. This resulted in prompt payments.

When Starr resigned his position as receiver in 1864, the members of the Tyler court complimented him for the great service he had rendered them.<sup>29</sup>

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<sup>29</sup> J. C. Fowler to James H. Starr, June 9, 1864, Starr Papers.

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In the meantime, the postal service of the Confederacy west of the Mississippi River had been thrown into confusion when Vicksburg was captured by the federal troops in 1863. The Confederate Congress undertook to meet the emergency by the passage of an act providing for the appointment of an agent for the postal service west of the Mississippi River. Through the recommendations of John H. Reagan, postmaster-general, and F. B. Sexton, a member of Congress, Starr was

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the funds sent in by the postmasters and supervised the work



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 appointed to this position by President Jefferson Davis.

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30  
 John H. Reagan to James H. Starr, March 12, 1864,  
 Starr Papers.

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Marshall, Texas, was selected as the most suitable place for the location of the new agency and Starr was instructed to secure suitable quarters there for the transaction of his duties. He selected a large colonial mansion, which is still standing as a part of Bishop College.

Starr's authority and duties in this capacity were as extensive for his region as were those of the postmaster-general for the remainder of the Confederacy. He had the power to suspend postmasters appointed by the president and confirmed by the senate.<sup>31</sup> He was also authorized to

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31  
 Post Office Department, Richmond, Virginia, to James H. Starr, September 20, 1864, Starr Papers.

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receive and act on resignations of postmasters and to employ others to serve temporarily.<sup>32</sup> Starr acted as a receiver of

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32  
 John H. Reagan to James H. Starr, July 19, 1864,  
 Starr Papers.

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the funds sent in by the postmasters and supervised the work



of the contractors carrying the mails.<sup>33</sup> It was difficult

in Houston with ninety-five letters in his possession. As

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<sup>33</sup> John H. Reagan to James H. Starr, March 12, 1864, Starr Papers.

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to secure enough mailbags for the mail as new ones had to  
be brought from England through the blockade.<sup>34</sup>

Houston, he found that the case had been dismissed. Starr

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<sup>34</sup> John H. Reagan to James H. Starr, November 26, 1864, Starr Papers.

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Newspaper clipping in the Starr Papers dated  
Houston, June 2, 1865.  
Starr had trouble with the Mississippi Conscript Bureau in relation to mail contractors who were claimed for military service. The government officials at Richmond had the same difficulty, and Reagan advised Starr to instruct contractors to resort to writs of habeas corpus and to institute civil suits for damages against such military officers who disregarded the laws and their rights. According to Starr's interpretation of the act of April 14, 1863, mail contractors were exempt from military service even though they had been in the army when employed.<sup>35</sup>

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<sup>35</sup> John H. Reagan to James H. Starr, September 23, 1864, Starr Papers.

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In the early part of 1865, J. G. Morton was arrested in Houston with ninety-five letters in his possession. As most of the letters had been mailed from Marshall, Starr ordered that sixty-five be forwarded to addresses east of the Mississippi and the others be returned for use as evidence against Morton. W. L. Thomas was appointed as a special investigating agent by Starr. When Thomas reached Houston, he found that the case had been dismissed. Starr then authorized the Houston postmaster to return the letters which were used as evidence. When Starr foresaw the fall

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36  
Newspaper clipping in the Starr Papers dated Houston, June 2, 1865.

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of the Confederate government in May, 1865, he addressed a letter to the postmasters of the Trans-Mississippi Department, saying:

In view of the approaching changes in our public condition, and in order that the transition may be attended with the least possible embarrassment and inconvenience to the country in reference to its postal affairs, I have to request that special care be taken of the public property in your charge pertaining to the post-office department, that it may pass safely into the hands of the authorities who are to succeed us.

It is important to our own people that this precaution should be taken, and that every proper facility be given for an early restoration of mail service under the new government.

It is hoped that much of the present mail transportation will continue until the new order of things shall be established. 37



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 37

James H. Starr to the Postmasters of the Trans-Mississippi Department, May 23, 1865, Starr Papers.

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Later Starr wrote to the general in command of the United States forces at Shreveport informing him that he was ready to pass to an agent of the United States Post Office Department the property in his charge. He expressed his hope that the return to normal conditions would be accomplished in accordance with the "usages of Christian nations and the dictates of humanity."

38

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 38

James H. Starr to the Commanding General of the United States Forces, May, 1865, Starr Papers.

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In the fall of 1865, Starr wrote to S. M. Swenson of New York, asking his assistance in securing a pardon from President Andrew Johnson. He was advised to make application to the provisional governor, E. M. Pease. The gov-

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 39

March 30, S. M. Swenson to James H. Starr, October 24, 1865, Starr Papers.

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ernor was pleased to recommend Starr's petition to the President.

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40

George F. Moore to James H. Starr, October 16, 1865, Starr Papers.

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On March 27, 1866, Starr appeared before the board of commissioners appointed by A. J. Hamilton, provisional governor, and produced satisfactory evidence that he had received and accepted the pardon of the President of the United States under the proclamation of May 29, 1865. He had taken advantage of the provisions of the amnesty proclamation and had become a qualified voter of Nacogdoches County.

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41

Pardon Citation, State of Texas, County of Nacogdoches, March 27, 1866, Starr Papers.

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After the radical Republicans gained control of Congress as a result of the election of 1866, Starr, like many other proud citizens of the South, was forced to retire from public life because he could not take the "iron clad oath." It was not until after Texas was readmitted to the Union on March 30, 1870, that he was eligible to resume active political service.



CHAPTER VI

2 James H. Starr, July 3, 1881, Starr Papers. CLOSING YEARS

The public career of James Harper Starr ended with the surrender of the Southern armies in 1865. Eight years later, he retired from his banking and land business and became an adviser to his son, Amory, who continued the land agency. The elder Starr received many personal requests for information from clients after his retirement and he never lost interest in individuals who desired his service.

Much of his time was spent in writing letters to his children and to friends. He also read many books. After reading Jefferson Davis's interpretation of the Constitution, he remarked:

. . . . Could I have had the evidences in earlier life I should always have been a believer in the unquestionable constitutional right of secession. 1

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1 James H. Starr to James F. Starr, July 9, 1881, Starr Papers.  
Starr, Some Biographical Notes, Starr Papers.

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When he heard of the assassination of Garfield in 1881, Starr wrote:

. . . . The death of Garfield would pass the Executive Department into the hands of Conkling governing in the name of Arthur. 2  
interests he represented, whether public or private.



2

James H. Starr to James F. Starr, July 3, 1881, Starr Papers.

On March 30, 1881, the legislature of Texas passed an act providing for the organization of the state university. Governor O. M. Roberts appointed Starr as a regent of the school and the senate confirmed the appointment on April 4.

3

Brown, The Encyclopedia of the New West, I, 609.

Starr would have gladly accepted the position if his health had permitted the performance of the required duties, for the establishment of a leading university in Texas had been his desire for many years, but he did not feel equal to the task.

4

Starr, Some Biographical Notes, Starr Papers.

None of the offices that Starr held during his long residence in Texas were sought by him. His friends had the satisfaction of knowing that he performed every duty bestowed upon him to the entire satisfaction of those parties whose interests he represented, whether public or private.



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5

Brown, The Encyclopedia of the New West, I, 609.

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Starr was admired by those who knew him for his life-long temperance and sobriety, observance of strict punctuality, and his reasonable but unostentatious charities, with liberal aid to schools.<sup>6</sup> He was interested in local affairs

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6

Ibid.

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and served the public in various capacities. Many times the local courts gave verdicts which seemed to be unjust and Starr was always ready to petition for adjustment. He was an active school trustee for many years. Local politicians depended upon his advice concerning elections and policies in government. Even though he retired early from the practice of medicine, he continued to prescribe for the sick in cases of emergency. He never refused to extend assistance to persons who were financially distressed. To him, life was an opportunity to serve.

Starr had a sense of humor that made his company appreciated by everyone. His humor was of a clean type with no one offended by his statements. Once he wrote:

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Starr, Some Biographical Notes, Starr Papers.

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. . . Certainly, I swear at him -- he is a nervous, unpleasant, faultfinding, unreasonable horse -- wanting to stop at every house whether I want to or not, as if I were a democratic candidate for office on an electioneering tour among the sovereignty. I am tired of him and his ways and shall exchange him at the first opportunity. 7

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7

James H. Starr to Nathaniel Amory, August 28, 1848, Starr Papers.

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Texas mourned the passing of a friend whose life had been consecrated to unselfish service for his fellow men.

The exact religious status of Starr is unknown. However, in March, 1845, a minister wrote:

. . . Your condition to say the least of it is exceedingly critical . . . . I do not enter upon this matter with the vain and unworthy object, to gain a victory. . . . But with the most ardent desire, that if I am right, the result of this investigation may be your conversion to God. . . . You say that you are a skeptic in the fullest sense of the word. . . that you doubt belief in the inspired origin of the Bible. . . . You are doubtful as to whether the mind, the soul or any part belonging to or connected with our existence is immortal or continues beyond the dissolution of the body. These are your exact words. 8

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8

Sam Corley to James H. Starr, March 20, 1845, Starr Papers.

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Mrs. James Harper Starr died on November 28, 1882, at Marshall after an illness of several days. Her death was a tragic event in Starr's life, as she had been his constant companion for almost half a century. 9

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9

Starr, Some Biographical Notes, Starr Papers.

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Starr spent the latter part of his life in Marshall at his home on South Grove Street. Being a great lover of flowers, he spent many hours in his garden doing much of the work himself. Later, when his health would not permit active work on his part, he supervised the tasks from his armchair.

When he died on July 25, 1890, the citizens of East Texas mourned the passing of a friend whose life had been consecrated to unselfish service for his fellow men.

10 Brown, Frank, Annals of Travis County and the City of Austin, from Earliest Times to the Close of 1875. Archives of the Dallas Morning News, July 26, 1890.

10 Comptroller's Letters. Archives of the Texas State Library, Austin.

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